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In re Application of	:	DECISION ON
Ray BLOTTEAUX et al	:	
Application No.: 10/590,701	:	
Int. Application: PCT/CA05/000309	:	
Int. Filing Date: 25 February 2005	:	REQUEST UNDER
Priority Date: 26 February 2004	:	
Attorney's Docket No.: 1912-0353PUS1	:	
For: SPORTS APPARATUS... OF MAKING SAME	:	37 CFR 1.497(d)

This is a decision on applicants' "RENEWED REQUEST UNDER 37 CFR 1.497(d)" filed on 28 July 2008.

BACKGROUND

In a decision from this Office mailed on 28 April 2008, the decision indicated that the request was dismissed because the request did not satisfy items (1) and (3) of 37 CFR 1.497(d).

On 28 July 2008, applicants filed the current renewed request, which included, *inter alia*, a copy of the assignment of the patent application to Sports Maska Inc. and a properly executed declaration.

DISCUSSION

A submission under 37 CFR 1.497(d) must include:

- (1) a statement from each person being added as an inventor and from each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part;
- (2) the fee set forth in § 1.17(i); and
- (3) If an assignment has been executed by any of the original named inventors, the written consent of the assignee (see 37 CFR §3.73(b) of this chapter).

A review of the application file reveals that applicants have satisfied items (1) and (3) under 37 CFR 1.497(d).

In regard to item (1), a properly executed declaration has been filed.

In regard to item (3), applicants have submitted a copy of the assignment showing that Sports Maska Inc. is the assignee of the above application and has establish its right to take action under 37 CFR §3.73(b).

Accordingly, applicant is deemed to satisfy requirements (1), (2), and (3) under 37 CFR 1.497(d).

CONCLUSION

For the reasons above, the request under 37 CFR 1.497(d) is **GRANTED**.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing consistent with this decision. The 35 USC 371 (c)(1), (c)(2), and (c)(4) date of this application is **28 July 2008**.



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